

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

AMANDA DEANNE SMITH,

FILED
OCT - 3 2011
CLERK, U.S. DISTRICT COURT NORFOLK, VA

Plaintiff,

v.

ACTION NO. 2:08cv281

OFFICER R.R. RAY, et al.,

Defendants.

FINAL ORDER

This matter comes before the court on the Motion to Re-Open Case No. 2:08cv449 (the "449 Complaint" or the "449 Case"), filed by the plaintiff on August 12, 2011. The matter was referred to a United States Magistrate Judge by Order of August 31, 2011, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Federal Rule of Civil Procedure 72(b), to conduct hearings, including evidentiary hearings, if necessary, and to submit to the undersigned proposed findings of fact, if applicable, and recommendations for the disposition of the motion.

The United States Magistrate Judge's Report and Recommendation was filed on September 13, 2011. The magistrate judge recommended denying plaintiff's motion to re-open the 449 case.

By copy of the report and recommendation of the magistrate judge, the parties were advised of their right to file written objections thereto. The court has received no objections to the magistrate judge's report and recommendation, and the time for

filings same has expired. The court does hereby adopt and approve in full the findings and recommendations set forth in the Report and Recommendation of the United States Magistrate Judge filed September 13, 2011. Accordingly, the plaintiff's motion to re-open Case No. 2:08cv449 is **DENIED**.

The Clerk shall forward a copy of this Final Order to all parties of record.

It is so ORDERED.

/s/



Rebecca Beach Smith
United States District Judge

Norfolk, Virginia

October 3, 2011